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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

BAILEY AARON HALL,

Defendant.

Case No. 2:16-cr-321-JAD-PAL

**STIPULATION TO CONTINUE
SENTENCING HEARING**

(Third Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United States Attorney, and Alexandra Michael, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Brian Pugh, Assistant Federal Public Defender, counsel for Bailey Aaron Hall, that the Sentencing Hearing currently scheduled on Monday, August 20, 2018, be vacated and continued to a date and time convenient to the Court, but no sooner than forty-five (45) days.

The Stipulation is entered into for the following reasons:

1. Mr. Hall's parents and siblings have followed court proceedings closely, have attended prior hearings, and intend Mr. Hall's sentencing. Unfortunately, a sibling's spouse recently took her own life and her out-of-state funeral conflicts with Mr. Hall's current

1 sentencing date. The parties have agreed to a 45-day continuance of the sentencing hearing to
2 allow family to be in attendance to support him.

3 2. The defendant is incarcerated and does not object to the continuance.

4 3. The parties agree to the continuance.

5 4. The additional time requested herein is not sought for purposes of delay, but
6 merely to allow counsel for defendant sufficient time within which to be able to effectively and
7 complete investigation of the discovery materials provided.

8 5. Additionally, denial of this request for continuance could result in a miscarriage
9 of justice. The additional time requested by this Stipulation is excusable in computing the time
10 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
11 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
12 Section 3161(h)(7)(B)(i), (iv).

13 This is the third stipulation, first request by the defendant, to continue filed herein.

14 DATED this 7th day of August 2018.

15 RENE L. VALLADARES
16 Federal Public Defender

17 */s/ Brian Pugh*
By _____
18 BRIAN PUGH
19 Assistant Federal Public Defender

DAYLE ELIESON
United States Attorney

20 */s/ Alexandra Michael*
By _____
21 ALEXANDRA MICHAEL
22 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
BAILEY AARON HALL,
Defendant.

Case No. 2:16-cr-321-JAD-PAL

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Mr. Hall's parents and siblings have followed court proceedings closely, have attended prior hearings, and intend Mr. Hall's sentencing. Unfortunately, a sibling's spouse recently took her own life and her out-of-state funeral conflicts with Mr. Hall's current sentencing date. The parties have agreed to a 45-day continuance of the sentencing hearing to allow family to be in attendance to support him.

2. The defendant is incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excusable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United

States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excusable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

ORDER

IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for Monday, August 20, 2018 at 10:00 a.m., be vacated and continued to October 2, 2018, at the hour of 10:00 a.m.

DATED this 8th day of August, 2018.

UNITED STATES DISTRICT JUDGE